

0213-1430-2



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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

:

Toshinari SUZUKI, et al.

: EXAMINER: HARTMAN JR., R.

SERIAL NO: 09/596,067

:

FILED: JUNE 16, 2000

: GROUP ART UNIT: 2121

FOR: WEIGHT IDENTIFICATION METHOD :
AND FEEDBACK CONTROL METHOD

RESTRICTION RESPONSE

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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SIR:

In response to the Office Action dated September 30, 2002, Applicants elects Group II -(claims 3-10), drawn towards a generic feedback control system, classified in class 700, subclass 45 **with traverse** for prosecution in the present application.

Applicant traverses the outstanding Restriction Requirement as the outstanding Restriction Requirement has not established that an undue burden would be required if the Restriction Requirement was not issued and if all the claims were examined together. More particularly, MPEP §803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In the present application any search of the elected method claims would also include the classes and subclasses appropriate for searching the product and apparatus claims, and so then would be no undue burden if all of the claims were examined together.

Respectfully submitted,

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DOCKET NO: 0213-1430-2



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WASHINGTON, D.C. 20231

RE: U.S. Application
Serial No: 09/596,067
Filed: June 16, 2000
Group: 2121
Inventor: Toshinari SUZUKI, et al.
For: WEIGHT IDENTIFICATION METHOD

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SIR:

Attached hereto for filing are the following papers:

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RESTRICTION RESPONSE

Our check in the amount of \$ 0.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is attached.

Respectfully submitted,

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